

# HUNTON & WILLIAMS

HUNTON & WILLIAMS LLP  
575 MARKET STREET  
SUITE 3700  
SAN FRANCISCO, CALIFORNIA 94105

TEL 415 • 975 • 3700  
FAX 415 • 975 • 3701

TIMOTHY J. CARLSTEDT  
DIRECT DIAL: 415 • 975 • 3710  
EMAIL:  
TCARLSTEDT@HUNTON.COM

October 8, 2014

## VIA OVERNIGHT MAIL & EMAIL

Mr. Peter Magolske  
U.S. Environmental Protection Agency  
Office of Compliance and Enforcement, M/S OCE-127  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

Mr. Brian Monson  
Idaho Department of Environmental Quality  
1410 North Hilton Street  
Boise, ID 83706

Re: **Notification of Duly Authorized Representative – Paragraph No. 75**  
**Administrative Order on Consent for Nu-West CPO Facility**  
**Docket No. RCRA-10-2009-0186**

Dear Mr. Magolske and Mr. Monson:

This letter serves as Nu-West Industries, Inc.'s ("Nu-West") notification to the U.S. Environmental Protection Agency and Idaho Department of Environmental Quality that Tim Vedder has replaced Josh Regan as Plant Manager for Nu-West's Conda Phosphate Operations ("CPO") facility located near Soda Springs, Idaho. This also is a notice that, pursuant to the enclosed Certificate of Incumbency, Mr. Vedder is a



FILE COPY

Mr. Magolske  
Mr. Monson  
October 8, 2014  
Page 2

“duly authorized representative” of Nu-West as such term is defined under Paragraph 75 of the above-referenced Administrative Order on Consent (“Consent Order”).<sup>1</sup>

Sincerely,



Timothy J. Carlstedt

Enclosures

cc: Wayne Maxie  
Sarah Schwann

---

<sup>1</sup> Under Paragraph 75 of the Consent Order, a person is a “duly authorized representative” if: (a) the authorization is made in writing; (b) the authorization specifies either an individual or person having responsibility for overall operation of the regulated facility or activity; and (c) the written authorization is submitted to the Project Coordinator designated under the Consent Order.

**NU-WEST INDUSTRIES, INC.**  
**(the "Corporation")**

**CERTIFICATE OF INCUMBENCY**

I, Gary J. Daniel, Corporate Secretary of the Corporation, hereby certify that Timothy A. Vedder is a duly appointed officer of the Corporation and the Corporation's wholly owned subsidiaries and holds the offices with the capacities set out below:

**OFFICE**

Director, Vice President  
Director, Vice President  
Director, Vice President

**CORPORATION**

Nu-West Industries, Inc.  
Nu-West Minerals, Inc.  
Nu-West Mining, Inc.

IN WITNESS WHEREOF the undersigned has executed this certificate this 7<sup>th</sup> day of October, 2014.

**NU-WEST INDUSTRIES, INC.**

Per: \_\_\_\_\_

Gary J. Daniel  
Corporate Secretary

I, David R. Pearce, Barrister and Solicitor, and a Notary Public in and for the Province of Alberta, Canada, hereby certify that Gary J. Daniel is the Corporate Secretary of the Corporation as of the date of this certificate and that the signature above his name appearing on this certificate is his true signature and was signed before me.

DATED this 7<sup>th</sup> day of October, 2014.

\_\_\_\_\_  
David R. Pearce  
Barrister and Solicitor  
A Notary Public in and for  
the Province of Alberta

David R. Pearce  
Commissioner for Oaths, Notary Public  
In and for the Province of Alberta  
My Commission Expires at the Pleasure  
Of the Lieutenant Governor in Council